

MEMO

DATE: November 14, 2000

TO: Honorable Mayor and City Council

FROM: John Lettelleir, A.I.C.P. Director of Planning

RE: Zoning Appeal
Z2000-18 and SUP2000-12

xc: George Purefoy, City Manager
Doug Mousel, Planner II

The applicant is appealing the Planning & Zoning Commission's denial of these two cases to City Council. The Planning & Zoning Commission denied these requests as stated in the attached Planning & Zoning Commission follow-up memos. The approval of these cases will require a three-fourths (3/4)-majority vote by City Council, five affirmative votes, to overturn the commission's recommendation.

September 27, 2000

TO: Mayor and City Council

FROM: John Lettelleir, Director of Planning

SUBJECT: Results of the Planning & Zoning Meeting September 26, 2000

Public Hearing: Zoning Case Z2000-18
Applicant(s): 1200 F.M. 720 Assoc., Ltd.

DESCRIPTION:

A request to rezone 6.0± acres from Agricultural to Commercial-1 on the north side of F.M. 720, 1,550± feet east of F.M. 423. Neighborhood #44.

APPROVED: _____ **DENIED:** 5-1 **TABLED:** _____

RECOMMENDATION:

Denied.

Commissioner Ferguson voted in opposition because he felt this use would be appropriate next to residential because of it's low traffic impact, and saw the need to serve future residential uses in this area.

DM/sg

cc: Mark DeMattia 214-303-1824
Frank Jaromin
Donnie Mayfield
Mack Borchardt

Agenda No. 5A

Public Hearing: Zoning Case Z2000-18

Applicant(s): 1200 F.M. 720 Assoc., Ltd.

Description:

A request to rezone 6.0± acres **from** Agricultural **to** Commercial-1 on the north side of F.M. 720, 1,550± feet east of F.M. 423. Neighborhood #44.

HISTORY:

Zoning Case Z99-18 - A request to rezone 6.0± acres **from** Agricultural **to** Commercial-1 on the north side of F.M. 720, 1,550± feet east of F.M. 423. Denied 4-2. One Commissioner voting in opposition felt the site was suitable for Commercial-1 zoning while the other Commissioner did not provide a reason for the opposing vote.

Remarks:

This is a request to rezone 6.0± acres from Agricultural to Commercial-1. Zoning and land use of the surrounding properties are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Undeveloped	Agricultural	Single-Family Residential / Potential Open Space
East	Single-Family Homes (final plat approved 9/19/2000)	Single-Family-4 / Single-Family-5	Single-Family Residential
South	Main Street (F.M. 720) / Single-Family Homes / Undeveloped	Single-Family-5 / Retail	Retail and Single-Family Residential
West	Mobile Home	Agricultural	Single-Family Residential / Potential Open

			Space
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Conformance to the Comprehensive Plan

Future Land Use Plan -- The Future Land Use Plan designates Single Family Residential for this property. The request does not comply with the Future Land Use Plan. Where non-residential zoning is requested in a location shown as residential on the Future Land Use Plan, the following criteria must be met:

1. The area is physically appropriate for non-residential uses.

This property is located on the north side of Main Street between F.M. 423 and Teel Parkway in a mid-block location. With the exception of commercial corridors, such as Preston Road, retail and commercial development generally occurs at the intersection of major thoroughfares. Mid-block locations are undesirable, because of the adjacency to single-family uses. This location is not suitable for non-residential development.

2. The area is an extension of other non-residential zoning and is not separated from other non-residential zoning by a major thoroughfare (or larger).

Although approximately 50 acres of Retail zoning is located south of this property, the Retail zoning is separated from the subject property by a future six-lane divided major thoroughfare, Main Street.

3. The rezoning will not create a situation where commercial traffic will negatively impact established and proposed future neighborhoods, schools, and/or parks.

Surrounding properties are designated for Single-Family uses on the Future Land Use Plan. Immediately to the east of the subject property, a final plat has been approved for Meadowcreek - Phase 1, a residential subdivision. With the development of Meadowcreek - Phase 1, streets will be extended to this property anticipating its development as single-family homes. The traffic, noise, trash, and other activities associated with non-residential zoning will likely negatively impact future adjacent residential neighborhoods.

4. The rezoning will not leave any residual tracts of residentially-zoned property or an area designated for residential use by the Comprehensive Plan.

The zoning would create an island of non-residential zoning in an area designated for residential uses by the Comprehensive Plan.

5. The rezoning provides for an appropriate transition between non-residential and residential uses through separation by distance, screening, or land use.

Other than the screening and landscaping required between non-residential and residential uses, no transition would be provided between the subject property and the adjacent residential uses.

The zoning request does not meet the criteria necessary to zone a property shown as residential on the Future Land Use Plan as a non-residential district.

Thoroughfare Plan -- The Thoroughfare Plan shows Main Street (F.M. 720), a six-lane divided thoroughfare, bordering the request. Right-of-way for Main Street has been dedicated.

Environmental Considerations -- The City's environmental analyses contained within the Comprehensive Plan do not appear to identify floodplains and wetlands, soils, or sensitive habitats which are unsuitable for development in the area of this property. The analyses does indicate unsuitable slopes in the vicinity of the property.

Access -- Two points of access to the property will be provided from Main Street.

Water and Sanitary Sewer Services -- Water and sanitary sewer services must be extended to the property. Utilities are being constructed on the south side of Main Street with the development of Windsor Place and east of the property with the development of Meadowcreek - Phase 1.

Schools - The Frisco Independent School District has acquired property for the development of schools in the area. An elementary school is planned west of Twin Falls Drive south of the Waterford Falls subdivision and a middle school is planned south of the Westfalls Village subdivision within the Lone Star Ranch development. An elementary school is being constructed in The Trails.

Parks - The Parks Department is in the process of acquiring property adjacent to the above referenced elementary school site west of Twin Falls Drive south of the Waterford Falls subdivision. A park will also be developed in conjunction with the Trails elementary school. Additional property will be needed in the area for

the development of a neighborhood park, but a park is not envisioned on this property.

Summary:

This request does not comply with the Future Land Use Plan. In addition, the request does not meet the criteria used when requesting non-residential zoning for an area shown as residential on the Future Land Use Plan. Staff recommends denial of the request.

Recommendation:

Recommended for denial.